

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WESTERN DIVISION

U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL GARNER,
Petitioner,
v.

Civil Action No. 05-30035-MAP

MICHAEL THOMPSON,
Respondent.

NOTICE OF APPEAL

Now comes the petitioner in the above-entitled case and appeals pursuant to Fed. R. App. P. 3 and 4. Pursuant to Fed. R. App. P. 3(c), the petitioner states the following:

- (1) PARTY TAKING APPEAL: Petitioner MICHAEL GARNER
- (2) JUDGMENT ORDER OR PART THEREOF APPEALED: the District Court's (Ponser, J.) memorandum and order dated February 23, 2006 dismissing the Petition for a Writ of Habeas Corpus.
- (3) COURT TO WHICH APPEAL IS TAKEN: United States Court of Appeals for the First Circuit.

Respectfully submitted,
The Petitioner
by his attorney,

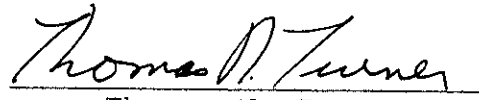
Thomas N. Turner

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Dated: March 13, 2006

CERTIFICATE OF SERVICE

I, Thomas N. Turner, attorney for the Petitioner in the above-entitled matter, hereby certify that I have sent by first class mail, postage prepaid, a copy of the above Notice of Appeal to AAG David M. Lieber, Office of the Attorney General, One Ashburton Place, Boston, MA 02108, this 13th day of March 2006.


Thomas N. Turner